

May 1, 2014

By Electronic Filing

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte Communication, GN Docket No. 12-268, In the Matter of Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*

Dear Ms. Dortch,

This letter is submitted, pursuant to Section 1.1206(b)(1) of the FCC's rules, to notify you that representatives of the Wireless Medical Telemetry Service Coalition (the "Coalition") had separate meetings on April 30, 2014 with Renee Gregory, Legal Advisor to Chairman Tom Wheeler; Louis Peraertz, Legal Advisor to Commissioner Mignon Clyburn; David Goldman, Legal Advisor to Commissioner Jessica Rosenworcel; Brendan Carr, Legal Advisor to Commissioner Ajit Pai; and Erin McGrath, Legal Advisor to Commissioner Michael O'Rielly. The WMTS Coalition was represented by Erik Rasmussen of the American Hospital Association ("AHA"); John Collins of the American Society for Healthcare Engineering of the American Hospital Association ("ASHE"); Mark Gibson of Comsearch, the technical consultant to ASHE; and the undersigned, counsel to AHA, ASHE and the WMTS Coalition.

The Coalition reiterated its concern with the Incentive Auction Task Force recommendation to the Commission that Channel 37 should be authorized for use by unlicensed devices before the Commission had determined whether and how such sharing would protect Wireless Medical Telemetry Service ("WMTS") licensees from interference. The Coalition also discussed again the numerous concerns already stated in the record by the Coalition about the ability of the Commission to rely on the use of inaccurate and incomplete databases to create geographic "exclusion zones" around WMTS systems as the primary means of protecting WMTS systems from interference. The Coalition also reiterated the importance of establishing such "exclusion zones" using the most conservative assumptions as to WMTS susceptibility and unlicensed device operations. As shown on the attached maps of several major metropolitan areas using "exclusion zones" as small as 3km (as suggested by some proponents for expanded unlicensed use of Channel 37), or even larger 15km zones (which, as Coalition member GE Healthcare has demonstrated, would still appear to be insufficient to protect WMTS from interference from fixed unlicensed operations), the Coalition again restated its view that the risks of harmful interference to a WMTS system may not be worth the little benefit in urban and suburban areas that will be gained by making Channel 37 available for unlicensed uses.

Ms. Marlene H. Dortch, Secretary

May 1, 2014

Page 2

The Coalition therefore asked that if the Commission does decide to open Channel 37 to unlicensed use, very strong statements be included to show the healthcare community that their use of Channel 37 WMTS will not be compromised, such as the following: *although the Commission has decided in to allow unlicensed devices to share TV Channel 37 with primary users, it recognizes that WMTS cannot tolerate even a single incident of interference without jeopardizing patient care. Therefore, the Commission will not authorize unlicensed devices to operate in Channel 37 until it has developed technical rules governing such unlicensed operation that will ensure to all affected parties' satisfaction that no harmful interference will be caused to primary WMTS and RAS operations in the band. The rulemaking the Commission will launch later this year should be designed to develop the record necessary to achieve that objective.*

Please contact the undersigned if you have any questions.

Sincerely,

/s/

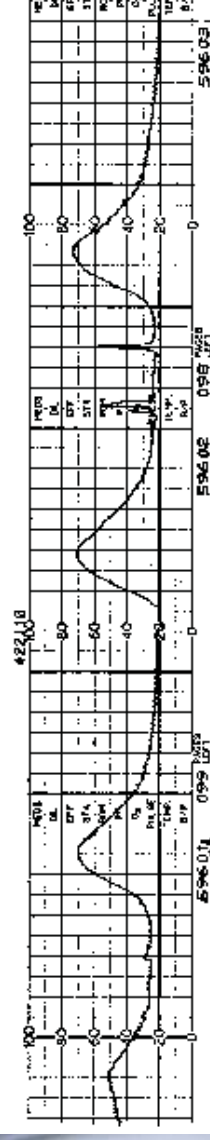
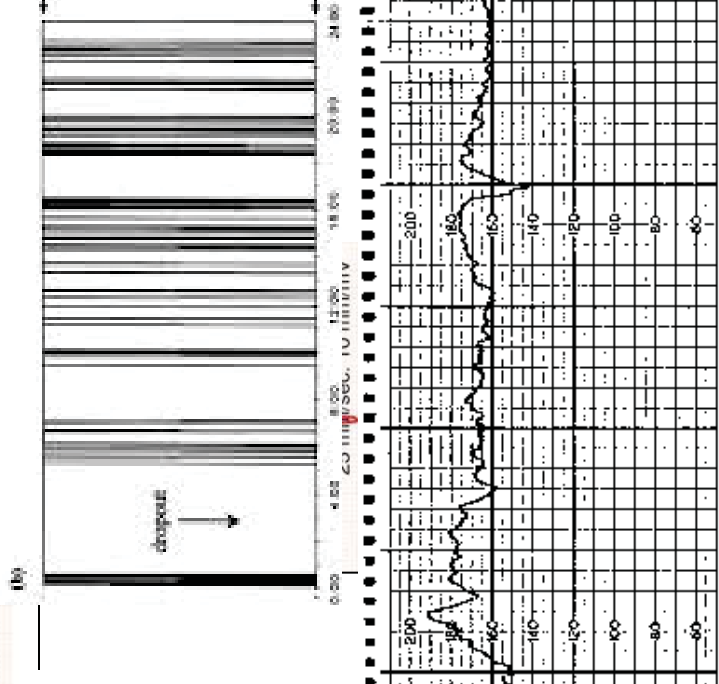
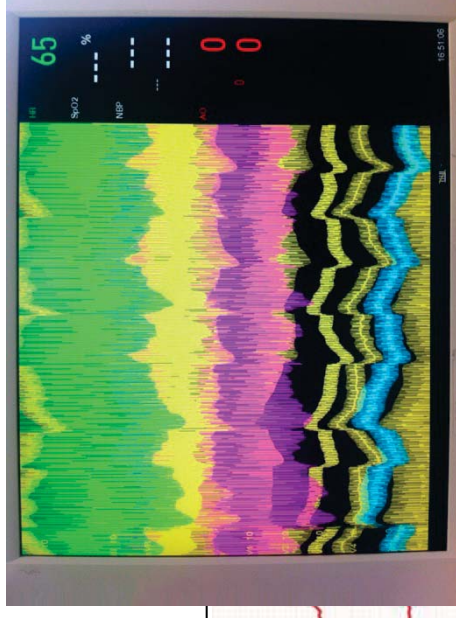
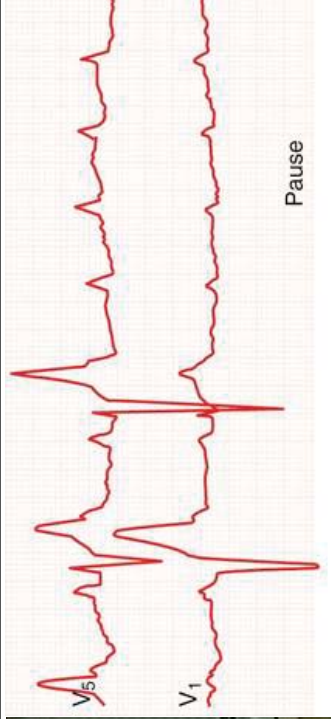
Lawrence J. Movshin

Timothy J. Cooney

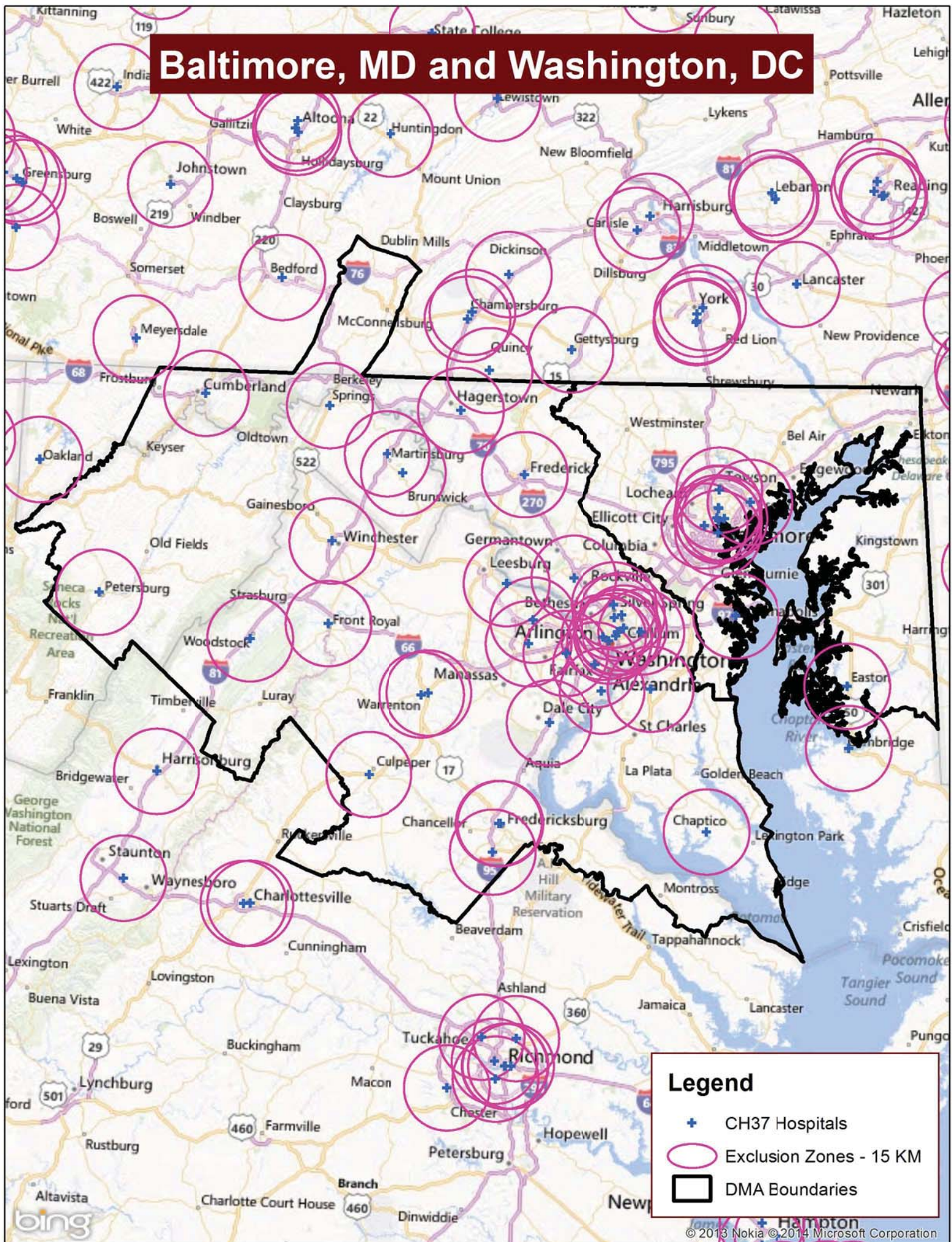
Attachments

cc: Renee Gregory
Louis Peraertz
David Goldman
Brendan Carr
Erin McGrath

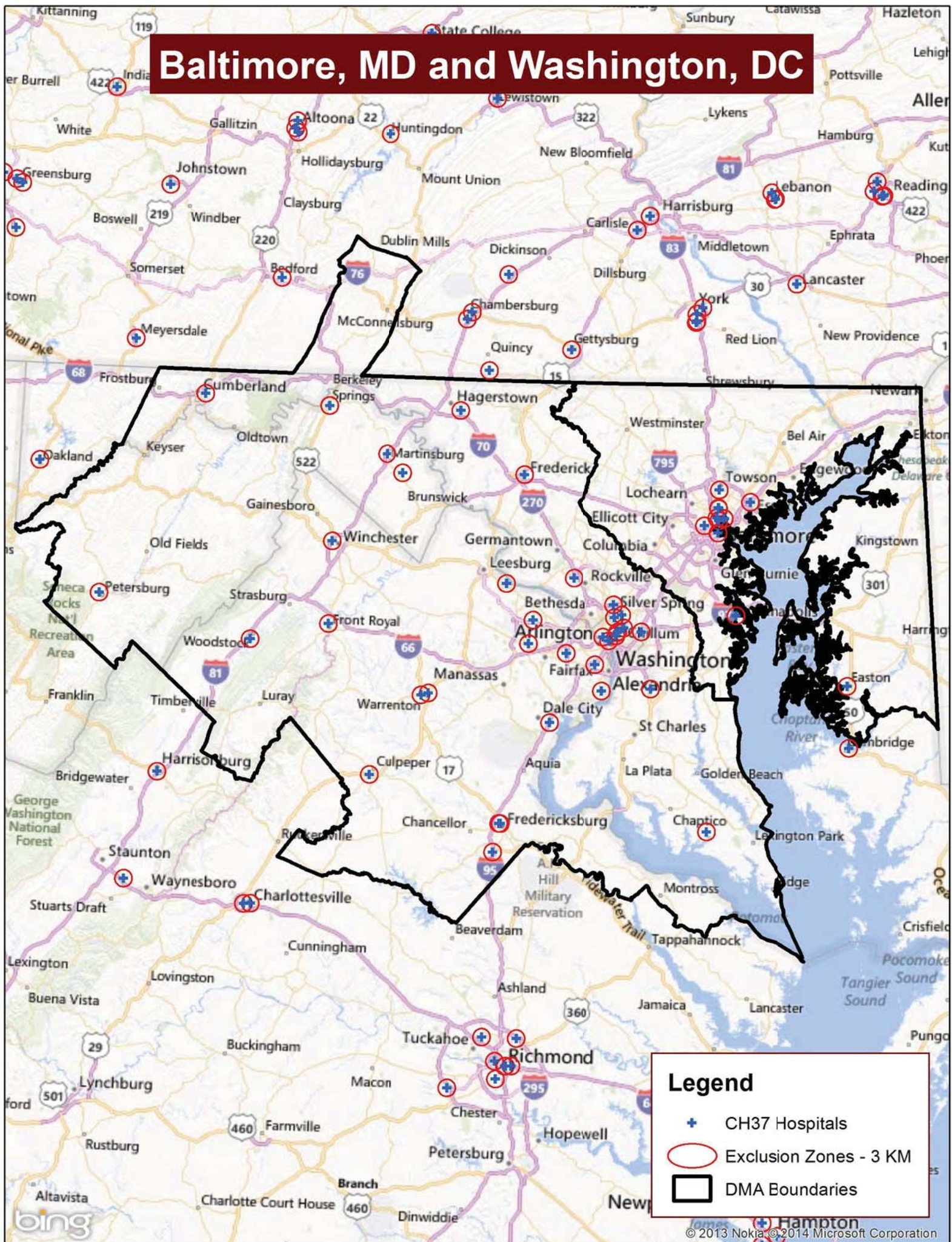
Impact on Patient Care



Baltimore, MD and Washington, DC



Baltimore, MD and Washington, DC






New York, New York

This map displays the distribution of CH37 hospitals and their 15 KM exclusion zones across New York State. The map includes major cities, towns, and villages, as well as state and federal highways. The exclusion zones are represented by pink circles, and the DMA boundaries are shown as black lines. The map is titled "New York, New York" in a large, bold, black font at the top center.

Legend

- CH37 Hospitals (Blue plus sign)
- Exclusion Zones - 15 KM (Pink circle)
- DMA Boundaries (Black line)

© 2010 NAVTEQ © 2014 Microsoft Corporation

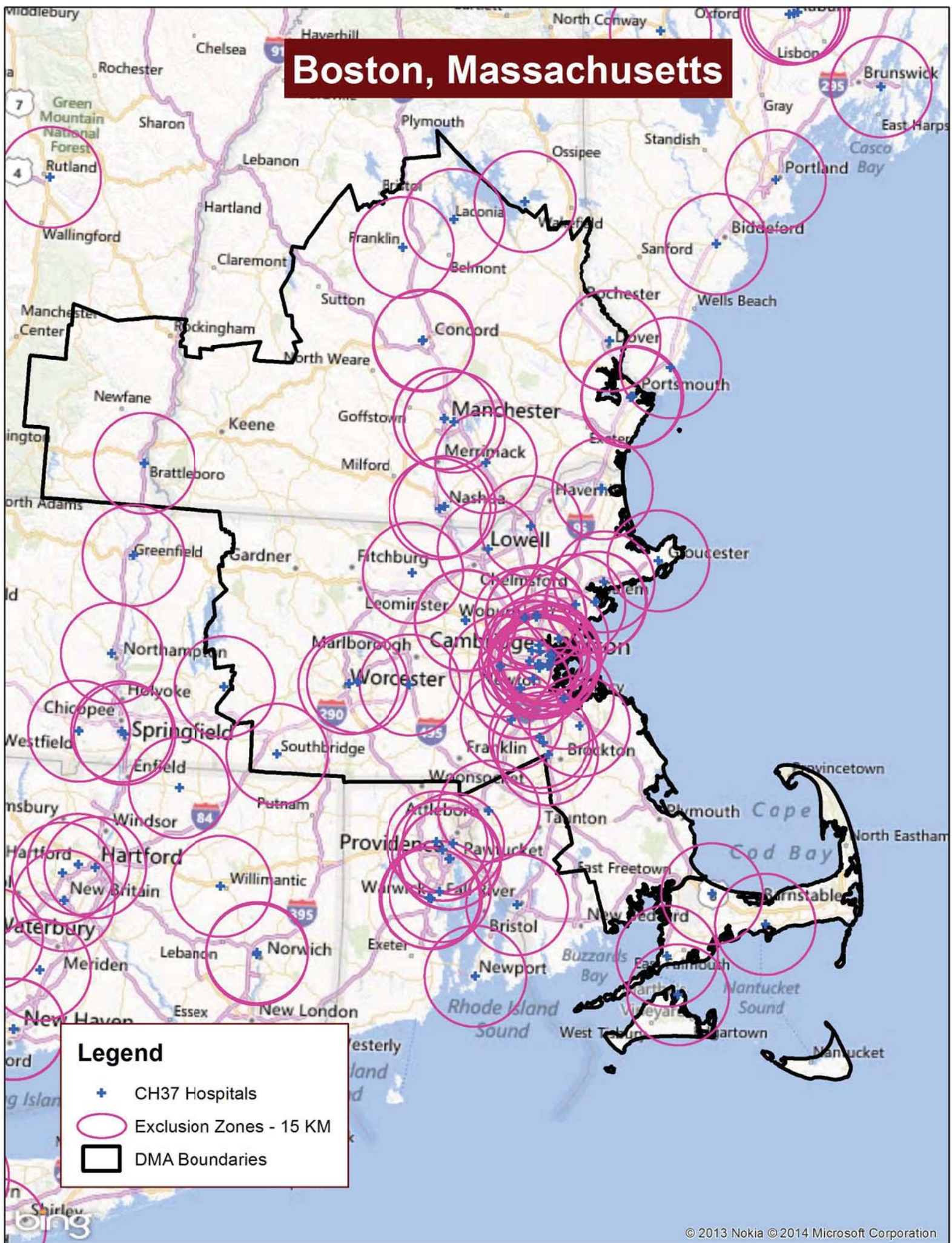
-  CH37 Hospitals
-  Exclusion Zones - 15 KM
-  DMA Boundaries

[illegible]

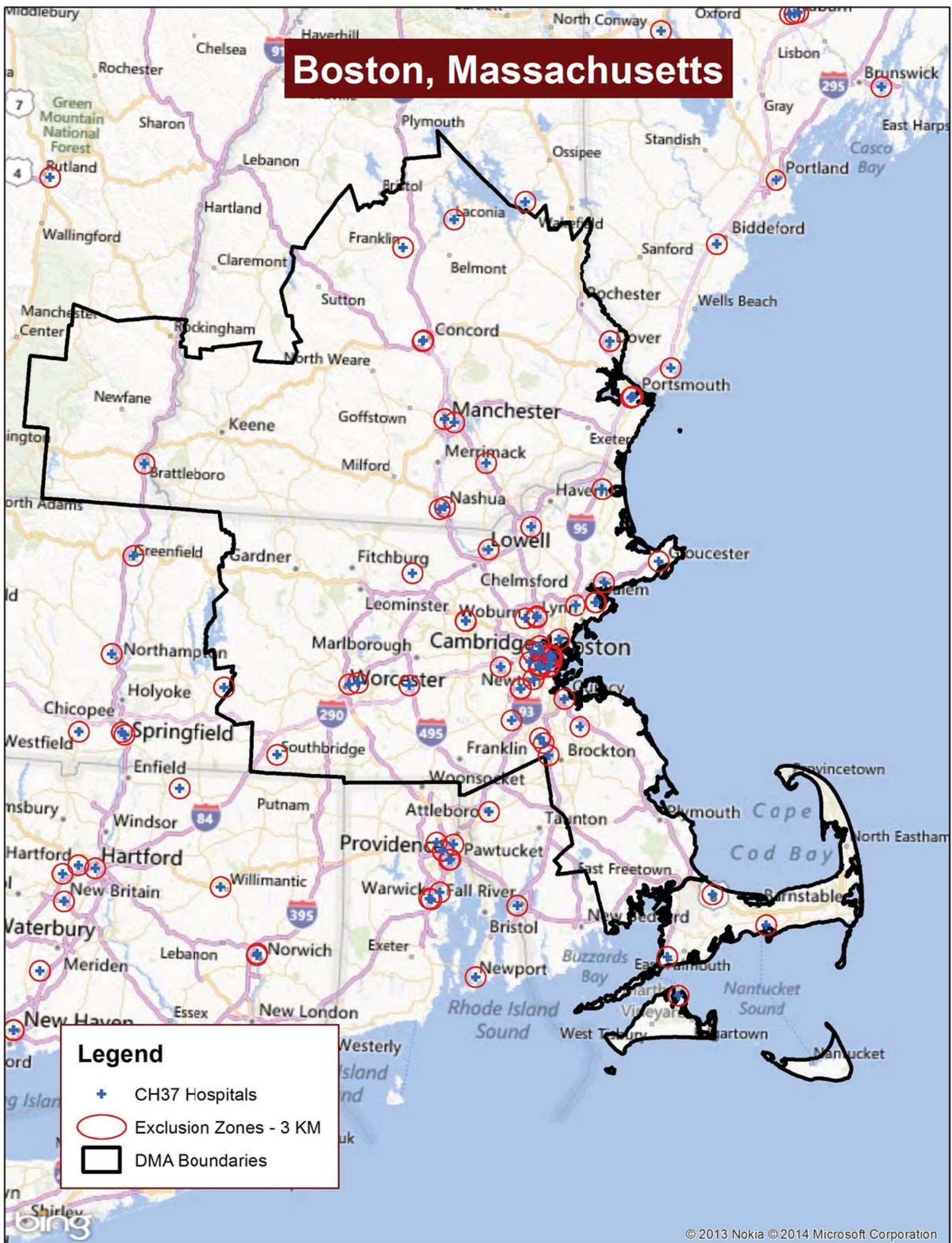
- CH37 Hospitals
- Exclusion Zones - 3 KM
- DMA Boundaries



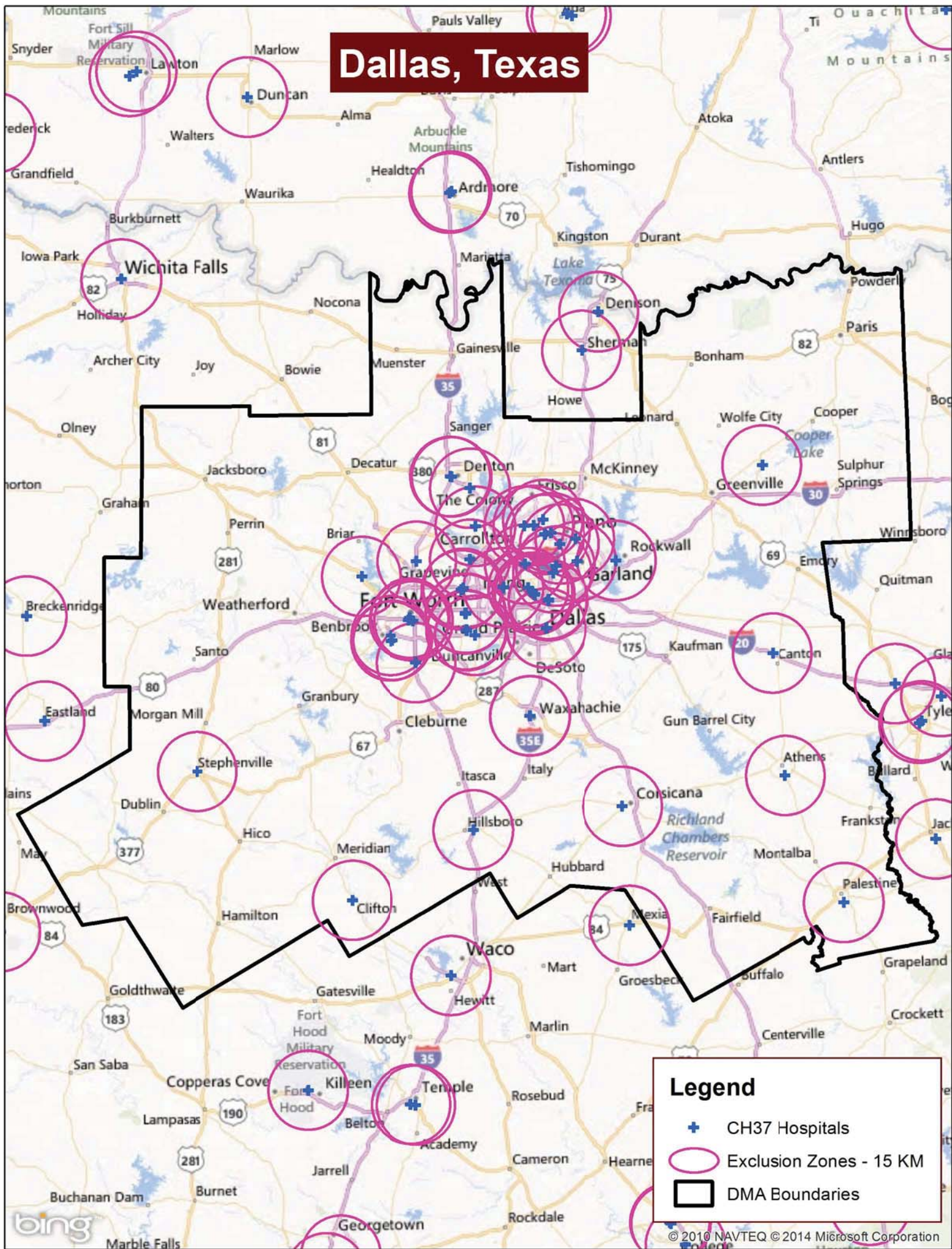
Boston, Massachusetts



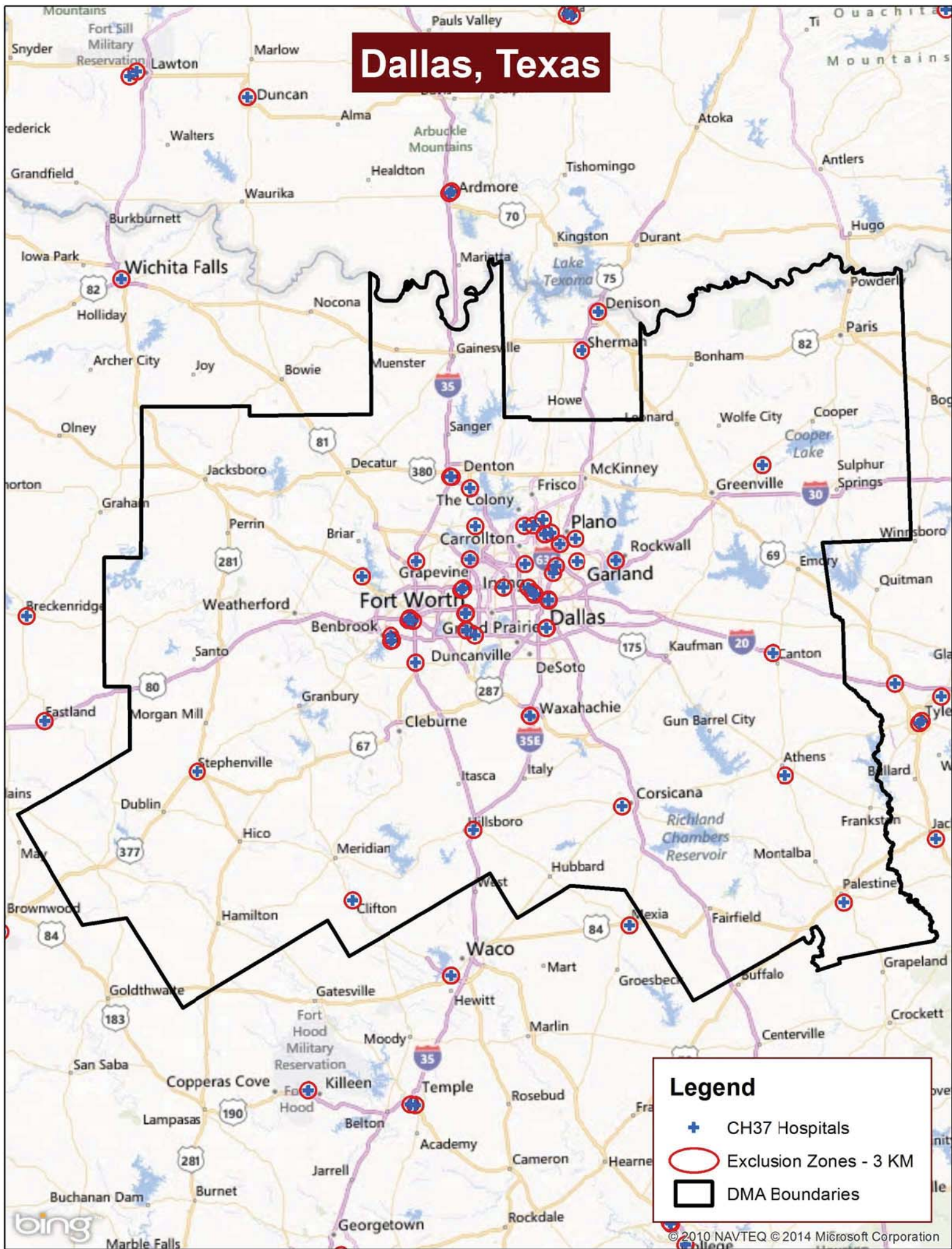
Boston, Massachusetts






Dallas, Texas



Dallas, Texas



Legend

-  CH37 Hospitals
-  Exclusion Zones - 3 KM
-  DMA Boundaries